

REMARKS

In reply to the Office Action dated March 10, 2005, reconsideration and allowance of the present application are respectfully requested. Claims 1-2 and 4-15 remain pending in the application. By this Amendment, claims 1, 2, 4, 5, 9, 10 and 14 are amended; and claim 3 is canceled.

In numbered paragraph 11, on page 8 of the Office Action, the Examiner has indicated that claims 3-5 and 9 contain allowable subject matter. In response, claim 1 has been amended to include the features of claim 3, and claims 4, 5 and 9 have been rewritten into independent form. Applicants respectfully submit that claims 1, 4, 5 and 9 are allowable.

In numbered paragraph 2, on page 4 of the Office Action, independent claims 1, 10 and 14, along with various dependent claims, are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,611,863 (Banginwar). This rejection is respectfully traversed.

Applicants have disclosed various methods and systems for controlling a policy-based network. As exemplified in Fig. 23(a), a first policy can be converted into multiple policies, e.g., dividing a policy (e.g., specification at paragraphs [00135] and [00136]). As further exemplified in Fig. 23(b), multiple policies can be converted into a third policy, e.g., fusing policies (e.g., specification at paragraphs [00135] and [00136]).

Applicants disclosed that virtual flow labels can be introduced to high-level policies (e.g., paragraph [0011] and [00105]). For example, a flow label can be used to pass information from a filtering policy rule to a metering and scheduling policy rule (e.g., paragraph [00138], see, also, Fig. 23(b)). In a separate example relating

to a policy division, a second policy can include at least a third policy rule having a first function and a virtual flow label value in an action part of a third policy rule (e.g., paragraph [00139]). Other exemplary embodiments and variations in the use of a virtual flow label are disclosed (e.g. {00141}-[00143], [00145], [00146] and [00153]).

As acknowledged by the Examiner with respect to claim 3, the Banginwar patent does not disclose or suggest “converting the first policy into at least a second policy and a third policy, wherein the second policy defines a virtual flow label and the third policy is associated with the virtual flow label, and wherein the second policy is associated with the first function and the third policy is associated with the second function,” as recited in claim 1. In addition, Banginwar does not disclose or suggest “the first policy includes at least a first function and the second policy includes at least a second function, wherein the first policy defines a virtual flow label and the second policy is associated with the virtual flow label,” as recited in claim 10; and “conversion means for converting at least one of a high-level policy into a plurality of low-level policies and a plurality of high-level policies into a low-level policy, wherein the high-level policies are based on virtual flow labels,” as recited in claim 14.

The Banginwar patent discloses device proxies 116 receiving a policy from a policy server 112, converting the policy to a device-specific configuration (i.e., a configuration that is native to the device) and distributing the policy to one or more devices 120 within the network 100 using native or device-specific communication protocols (column 3, lines 21-29). The Banginwar patent thus describes converting an abstract policy to low-level, device-specific, configuration commands. As acknowledged by the Examiner with respect to claim 3, the Banginwar patent does

not teach or suggest a high-level to high-level conversion of a first policy into at least a second policy and a third policy, wherein the second policy defines a virtual flow label and the third policy is associated with the virtual flow label, as recited in claim

1. Further, the Banginwar patent does not teach or suggest a policy being associated with a virtual flow label, as variously recited in claims 1, 10 and 14.

Accordingly, the Banginwar does not anticipate converting policies as recited in Applicants' claims, which encompass the dividing or fusing of policies based on a virtual flow label.

As such, Applicants' independent claims 1, 4, 5, 9, 10 and 14 are allowable. All of the remaining claims depend from the independent claims, and are also allowable.

All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance and such allowance is respectfully solicited.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

R. K. Ar

Reg. No. 48,360

Date: May 10, 2005

By: _____
Patrick C. Keane
Registration No. 32,858

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620